

WORKPLACE SAFETY

Once again putting the interests of corporate special interests ahead of those of working families, the Bush Administration, on April 5, after a year's delay, finally announced their own version of rules for preventing "ergonomic" injuries (injuries from repetitive motions) in the workplace – which turned out to be voluntary (!) for industry.

This is after the Bush Administration, in March 2001, worked with the GOP-controlled Congress to repeal the ergonomics rules that were finalized in November 2000 during the Clinton Administration. Indeed, back on March 6, 2001, a front-page article in the Wall Street Journal discussed the focus of Big Business on eliminating the ergonomics standard. The first sentence of that article accurately described the intent of the House GOP in rushing that measure to the Floor: *"For the businesses that invested more money than ever before in George W. Bush's costly campaign for the presidency, the returns have already begun."*

Now, after having repealed the Clinton Administration's ergonomics policy, the Bush Administration has announced its own voluntary policy. Here is how the New York Times (4/6/02) described the Administration's April 5th announcement:

"The Bush Administration unveiled a new workplace safety policy today that calls for no mandatory steps by industry and instead relies on voluntary actions by companies to reduce injuries from repetitive motions on the job. Democratic lawmakers and union leaders were quick to attack the new policy, calling it toothless and far weaker than the Clinton Administration regulations that a Republican-dominated Congress repealed 13 months ago, with President Bush's encouragement. ... The policy addresses one of the worst safety problems in the American workplace: more than 1.8 million injuries, like neck sprains and carpal tunnel syndrome, that result each year from repetitive motions like lifting, bending and typing. Over the last decade, such injuries have hurt millions of Americans including seamstresses, secretaries, nursing home aides, journalists and poultry plant workers."

Following was the reaction of John Sweeney, President of the AFL-CIO, to the Administration's April 5th announcement:

"After over a year of delay, the Administration has today announced a meaningless measure that yet again delays action and provides workers no protection against ergonomic hazards – the nation's biggest job safety problem. Each year more than 1.8 million workers suffer work-related musculoskeletal disorders from jobs that involve heavy lifting or forceful repetitive work."

The 10-Year Process That Led To the Clinton Administration's Ergonomics Regulations

The ergonomics regulations finalized under the Clinton Administration in 2000 -- that were repealed by the Bush Administration and Congressional Republicans in March 2001 -- were the culmination of a ten-year process in developing these regulations.

Indeed, it was in 1990, under the leadership of Elizabeth Dole, the Secretary of Labor during the term of President George H. W. Bush, that the Labor Department took the first steps in developing mandatory ergonomics rules – recognizing the need to protect the more than 1.8 million workers who every year suffer repetitive stress injuries. In 1999, the Bureau of Labor Standards estimated that the cost of these injuries is \$45-50 billion each year. They are the number-one occupational health and safety problem in the American workplace today.

Furthermore, between 1997 through 2000, there were three comprehensive reviews of the science identifying the cause of these ergonomic injuries. The conclusions of these three studies were consistent: exposure to ergonomic hazards in the workplace causes injuries, and these injuries can be prevented through interventions in the workplace.

After nine years of public discussion and review, the Occupational Safety and Health Association (OSHA) released a draft ergonomics rule in November 1999. OSHA then held public hearings around the country, hearing testimony from over 1,000 witnesses and reviewing over 7,000 written comments. The final rule was adopted in November 2000.

This ten years of work on the ergonomics rule was then thrown overboard in March 2001 – when the Bush Administration and Congressional Republicans worked together to repeal the rule.

Attachments

Attached is:

- Statement by Democratic Leader Dick Gephardt
- Statement by Rep. George Miller, Ranking Democrat on the Education and the Workforce Committee
- Statement by Sen. Ted Kennedy, Chairman of the Health, Education, Labor and Pensions Committee
- Statement by John Sweeney, President of the AFL-CIO

NEWS FROM THE HOUSE DEMOCRATIC LEADER

FOR IMMEDIATE RELEASE:

House Democratic Leader Richard A.
Gephardt

Friday, April 5, 2002

H-204, U.S. Capitol

<http://democraticleader.house.gov>

Gephardt Statement on Administration's Voluntary Ergonomics Proposal

“The Bush Administration took the final step today in abolishing a vital ergonomic standard to protect workers from repetitive stress disorders in the workplace. The voluntary ergonomics proposal announced today at the Department of Labor tells the American people once again that pleasing corporate special interests is more important to the Bush Administration and congressional Republicans than protecting American workers. Under the Bush Administration's proposal, companies will have no responsibility to address the very serious problem of repetitive stress injury that harms 1.8 million workers and costs our economy \$50 billion each year.

“In March 2001, House Republicans passed legislation that repealed the balanced ergonomics rule negotiated by the Clinton Administration. That vote began a process of betrayal of the American worker that culminated in the non-proposal announced today. When the Democrats regain control of the House in 2003, one of our first priorities will be to pass legislation to reinstate this important worker protection.”

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News From CONGRESSMAN GEORGE MILLER

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Phone: (202) 225-2095 **FOR IMMEDIATE RELEASE**

Bush Administration Continues to Fail to Protect Americans from Workplace Injuries

Friday, April 5, 2002

WASHINGTON -- Congressman George Miller (D-CA), senior Democrat on the House Education and Workforce Committee and a long-time supporter of stronger protections against workplace injuries, issued the following statement in response to the Bush Administration's announcement today of its new ergonomics policy.

"The Bush Administration's **ergonomics policy is a betrayal** of a promise made over a decade ago to address what then-Secretary of Labor Elizabeth Dole recognized as among our most serious workplace problems: ergonomic injuries.

"With no hearings and less than 48 hours debate in March 2001, congressional Republicans threw a decade's worth of work into the trash and killed the ergonomics rule. Every day, as a result, 5,000 additional workers have been injured. Now, the Bush Administration betrays the President's own pledge to protect 'the safety and health of our Nation's workforce' and announces **a program that will not offer working people a single greater protection than they have today. Given the vociferous opposition to an ergonomics rule by many business groups, it is clear that this voluntary rule will be meaningless in the workplace.**

"Republicans in Congress have repeatedly tried to delay, dilute and deter meaningful ergonomics protections. They have ignored repeated studies by the National Institute for Occupational Safety and Health (July 1997) and the National Academy of Sciences (October 1998 and January 2001) that concluded that ergonomic injuries caused by occupational hazards are a serious national problem, and that effective workplace interventions are available which can reduce the hazards.

"The Bush Administration and Republicans in Congress choose to ignore both the medical evidence and the health of millions of working men and women who suffer preventable ergonomic injuries on the job. **The sad fact is that as long as the Republicans control the House of Representatives, we will not be able to pass an ergonomics law that provides long-overdue basic workplace protections.**"

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from the office of

*Senator Edward M. Kennedy
of Massachusetts*

FOR IMMEDIATE RELEASE

April 5, 2002

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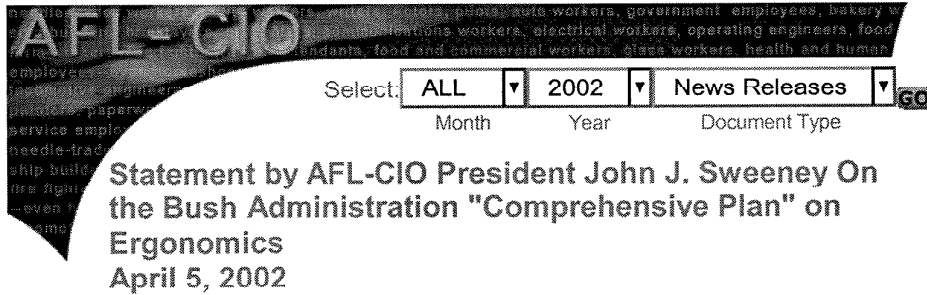
**STATEMENT OF SENATOR EDWARD M. KENNEDY ON THE DEPARTMENT OF
LABOR'S ERGONOMICS ANNOUNCEMENT**

Once again, the Administration handed a win to big business at the expense of millions of average workers -- especially women -- who risk workplace injuries every single day. Today's announcement rejects substantive protections for America's workers in favor of small symbolic gestures. It shows that when it comes to protecting America's workers, this Administration's goal is to look the other way and help big business get away with it.

The primary victims of the Administration's plan are women, who dominate jobs that cause ergonomic injuries. Almost two-thirds of all workers with job-related carpal tunnel injuries and tendonitis are women, even though women workers make up less than half of the American workforce.

If corporate CEOs were experiencing these injuries, instead of secretaries and cashiers, we would see a very different policy coming out of this Administration.

Over one year ago, the Secretary of Labor promised "to pursue a comprehensive approach to ergonomics." During the time that the Department of Labor took no action, over 1.8 million workers suffered devastating and crippling injuries. Today's announcement is too little, too late. I urge the Administration to reconsider its ergonomics plan, and to put the interests of women and average American workers first.

The image shows the top section of the AFL-CIO website. On the left is the AFL-CIO logo. To its right is a navigation menu with the text "Select:" followed by three dropdown menus: "ALL", "2002", and "News Releases". Below these are the labels "Month", "Year", and "Document Type". A "GO" button is to the right of the "News Releases" dropdown. Below the navigation menu is a large, bold headline: "Statement by AFL-CIO President John J. Sweeney On the Bush Administration 'Comprehensive Plan' on Ergonomics". Below the headline is the date "April 5, 2002".

Statement by AFL-CIO President John J. Sweeney On the Bush Administration "Comprehensive Plan" on Ergonomics
April 5, 2002

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After over a year of delay the Administration has today announced a meaningless measure that yet again delays action and provides workers no protection against ergonomic hazards - the nation's biggest job safety problem. Each year more than 1.8 million workers suffer work-related musculoskeletal disorders from jobs that involve heavy lifting or forceful repetitive work.

More than a year ago, at the insistence of its corporate backers, the Bush administration successfully urged repeal of an ergonomics safety regulation finally enacted by the Clinton administration after a 10-year effort begun under Secretary of Labor Elizabeth Dole. With today's announcement, the Bush Administration again caters to corporate special interests and abdicates its responsibility to protect workers.

The new "plan" does not outline an enforceable ergonomic standard--only a stated intention to develop voluntary guidelines for selected industries that are not even identified. Its enforcement "component" also fails to identify industries targeted for inspection, even the highest risk industries. Instead of action to fix dangerous workplace hazards, the plan relies on voluntary assistance and passive outreach tools such as new web sites. The plan does not call for any immediate action.

In an inexplicable move, the DOL proposes a new advisory committee to evaluate research on work-related musculoskeletal disorders, despite the fact that research is the responsibility of NIOSH, the nation's job safety research agency. At the same time, the Bush budget proposal cuts the NIOSH job safety research budget by \$20 million and the OSHA enforcement and training budget by more than \$10 million.

Since taking office, the Bush Administration has stopped work on dozens of important safety and health standards, withdrawn worker training grants and stopped important recordkeeping rules that would require employers to identify which injuries are musculoskeletal disorders. President Bush also appointed one of the industry's anti-ergonomic leaders, Eugene Scalia, as the Department of Labor's top lawyer.

The AFL-CIO and its unions have fought for more than a decade to protect workers from crippling injuries and we will continue that fight. We will seek action from the Congress to keep its commitment to protect workers and pass legislation to require a new ergonomics standard.

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